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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
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Item 4 of the provisional agenda*
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the fifth periodic report of Uzbekistan

Constitutional and legislative framework

1. In its previous concluding observations (CEDAW/C/UZB/CO/4, para. 10), the Committee urged the State party to accelerate the process of adoption of the law on equal rights and equal opportunities for women and men within a clear time frame. It is indicated in the report (CEDAW/C/UZB/5) that the draft law has been discussed and revised (paras. 31 and 32).[1] Please provide updated information on its current status, its content and the time frame for its enactment.

2. It is indicated in paragraph 23 that a draft unified plan of action to implement the recommendations of the Working Group on the Universal Periodic Review (A/HRC/27/7) has been prepared. Please provide information on its current status, in particular on the measures taken to address the recommendations of the Working Group on women's rights. Please also clarify whether a plan of action has been developed and adopted for the implementation of the Convention.

National machinery for the advancement of women

3. In its previous concluding observations (CEDAW/C/UZB/CO/4, para. 15), the Committee expressed its concern that the Women's Committee of Uzbekistan, a non-governmental organization, had been designated as the national machinery for the advancement of women. Please provide information on the measures taken to establish a State machinery for the advancement of women with sufficient authority in the Government and adequate human and financial resources from the State budget to effectively promote the implementation of the Convention.

* CEDAW/C/62/1.
[1] Unless otherwise indicated, paragraph numbers refer to the fifth periodic report of Uzbekistan.

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Non-governmental organizations

4. Following the adoption of a presidential decree in 2013 and a resolution of the Cabinet of Ministers in 2014 facilitating the registration and functioning of non-governmental organizations, please provide information on the impact of those decisions on women's non-governmental organizations, in particular the number that are registered in the country, the level of State funding that they receive and their areas of work.

Temporary special measures

5. The report is silent about temporary special measures applied during the reporting period. Please provide specific examples of such measures, their inclusion in national policies and programmes and their concrete implementation, with a view to promoting and accelerating the realization of substantive equality between women and men.

Gender stereotypes

6. The Committee, in its previous concluding observations (ibid., para. 19), expressed its concern at the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles of women and men in the family and society. Please provide information on the implementation and monitoring of existing measures, as well as any other measures taken since the submission of the report, to counter stereotypical attitudes towards women and girls, including those who experience multiple forms of discrimination on account of their ethnicity, age, disability, sexual orientation and other characteristics.

Violence against women

7. It is indicated that, at the time of the preparation of the report, a framework for a law on the prevention of domestic violence had been developed and submitted to the parliament (para. 95). Please provide updated information on the current status and the content of the bill, in particular whether the crime of marital rape is addressed therein and whether individuals accused of domestic violence will be prosecuted ex officio.

8. It is indicated that, according to the results of a survey conducted in 2011, only 46.2 per cent of women who were victims of violence had turned to law enforcement authorities for assistance, while 27.7 per cent had asked for help from their relatives and 17 per cent from citizens' self-governing bodies (*makhallya*) (para. 97). Please provide information and data on the number of complaints filed during the period under review and the number of prosecutions, convictions and sentences imposed, indicating the relationship between the victim and the perpetrator. Please provide information on measures taken to remove any impediments faced by women who are victims of violence to gaining access to justice. Please also provide information on the number of shelters in the State party and the nature of their funding.

Trafficking in women and girls and exploitation of prostitution

9. It is indicated that the State party adopted action plans for 2011-2012 and 2013-2014 to increase the effectiveness of actions to suppress and counter human

trafficking (para. 109). Please provide updated information on their implementation and indicate whether they have been extended beyond 2014. Please also provide information on the current status of the draft resolution of the President on the creation of a fund to provide assistance to victims of crime, which is mentioned in paragraph 118. Please also provide information and data, disaggregated by age, on women and girls who have been victims of trafficking, in particular on cases of trafficking of girls below 18 years of age. Please also indicate the legal framework that is applied to women involved in prostitution.

Participation of women in political and public life

10. Please provide information on measures taken to fulfil the 30 per cent quota for women in the parliament (16.5 per cent in 2015) and on any measures and sanctions for political parties not respecting those quotas. Please provide information on specific measures, including temporary special measures, to promote women to executive positions in the Cabinet of Ministers (6.5 per cent), in the judiciary (13 per cent) and to senior positions in the foreign service (8.2 per cent), including as ambassadors and heads of missions abroad (3 per cent). Please also provide information on specific programmes and civil service training to promote women's participation in political and public life. Please also provide information on the level of women's participation in elections as voters.

Education

11. It is acknowledged that there is a difference in the ratio of girls and boys in terms of types of special secondary and vocational training institutions attended and in their enrolment in higher learning, baccalaureate programmes and master's programmes (paras. 189 and 192). Please provide information on the measures taken to combat gender stereotypes at all levels of the education system. Please also provide information on the impact of the harmful practice of early marriage on dropout rates for girls and measures taken to address the issue.

12. Please provide information on measures taken to address the concentration of women in the traditionally feminized field of education (indicated in para. 193 as the preference of 72.6 per cent of female students). Please also provide information on the measures taken to provide women and girls with access to education facilities, as it is also stated that the choice is affected not only by economic factors and family traditions, but also by the location of educational institutions (para. 189).

Employment

13. It is indicated that, among all job openings in the State party, only 40 per cent are intended for women (para. 194) and that, in 2012, women headed 40.4 per cent of small enterprises and only 13.7 per cent of micro-businesses (para. 197). Please clarify whether there are prohibitions and limitations on jobs for women in the State party. Please provide information on measures taken to address the underrepresentation of women among entrepreneurs. Please also provide information on the availability and affordability of childcare facilities to allow women to reconcile work and family life.

14. Please provide information on any steps taken to give full legislative effect to the principle of equal pay for work of equal value and detailed information on specific legislation prohibiting sexual harassment in the workplace, as

recommended in the Committee's previous concluding observations (CEDAW/C/UZB/CO/4, para. 33). Please also provide detailed information on measures taken to support and protect the high number of women who are employed in the informal sector.

15. It is indicated that a bill on migration has been submitted for consideration to the Cabinet of Ministers and that the State party considers that it would be premature to accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families before the adoption of the law (para. 212). Please provide updated information on its current status and on measures taken to protect the rights of women migrant workers.

Health

16. According to information before the Committee, there have been allegations of forced sterilization of women in the State party, performed without women's knowledge, and recommendations made on the issue during the consideration of the State party's report by the Working Group on the Universal Periodic Review in 2013 did not enjoy the support of the State party. Please provide information on measures taken to eradicate forced sterilizations and to ensure safe contraception. Please also provide information on the legal framework for abortion in the State party.

Rural women

17. It is indicated that, as at January 2013, farms headed by women represented only 9 per cent of all registered farms in the State party (para. 249). Please provide information on measures taken to strengthen the role and the capacity of rural women as heads of farms, to increase the participation of rural women in political and public life and to enhance their access to justice, management and economic opportunities. Please also provide updated information on the outcome of the project on advancing the economic rights of women in Uzbekistan that was implemented in cooperation with the United Nations Entity for Gender Equality and the Empowerment of Women in six pilot districts (para. 250).

Women in detention

18. It is indicated that the Main Penal Corrections Department established, on a pilot basis, a post of ombudsman for the rights of minor and women prisoners in the Bukhara Investigative Detention Facility (para. 99). Please provide updated information on the outcome of the initiative. Please indicate whether prison conditions are in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).

Marriage and family relations

19. It is indicated that, under article 15 of the Family Code, the minimum marriageable age is set at 18 years for men and 17 years for women, and that the age can be lowered by one year in exceptional cases (para. 270). Please provide information on measures taken to increase the legal age of marriage for girls to 18 years, in compliance with international standards.

20. The figures mentioned in the report indicate that the number of persons who had committed the crimes specified in article 126 of the Criminal Code (on bigamy)

had increased from 15 in 2010 to 23 in 2013 (para. 274). Please provide information on the root causes of the persistence and the increased number of cases of polygamous unions in the State party and on measures taken to eliminate that harmful practice and to protect the rights of women in such relationships.

21. Mention is made of the regulations in force with regard to marital property in the State party, prenuptial agreements and the division of property upon dissolution of marriage (paras. 257-267). No mention is made, however, of the regulations that apply in cases of de facto unions. Please provide information on the legislative measures taken to protect the rights of women upon the dissolution of de facto unions, regardless of their registration status, in line with the Committee's general recommendation No. 29 on article 16 of the Convention (economic consequences of marriage, family relations and their dissolution).

Optional Protocol and amendment to article 20 (1) of the Convention

22. Please indicate what progress has been made towards the ratification of the Optional Protocol to the Convention and the acceptance of the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.